

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

YUKIO KUSADA,
Plaintiff

v.

BERKSHIRE EAST SKI RESORT,
UNION TERMINAL PIERS, INC. and
NORTHFIELD MOUNT HERMON
SCHOOL,
Defendants

Docket No. 05-30043-MAP

CERTIFICATION OF DEFENDANTS BERKSHIRE EAST SKI
RESORT AND UNION TERMINAL PIERS, INC. IN
COMPLIANCE WITH LOCAL RULE 16.1(D)(3)

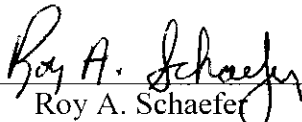
As counsel for defendants Berkshire East Ski Resort and Union Terminal Piers, Inc. in the above-captioned matter, I, David B. Mongue, certify that I have discussed the issue of costs involved in the defense of this case with Roy A. Schaefer, General Manager for Union Terminal Piers, Inc. The signature of Mr. Schaefer is affixed hereto as also certifying that counsel and the defendants herein have conferred and discussed the costs of conducting this litigation complete to trial and that the resolution of litigation through Alternative Dispute Resolution has also been discussed.

Dated: 3-11-05

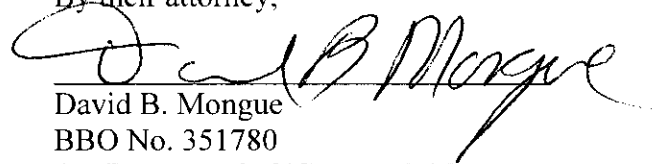
UNION TERMINAL PIERS, INC.

BERKSHIRE EAST SKI RESORT and
UNION TERMINAL PIERS, INC.

By


Roy A. Schaefer
General Manager

By their attorney,


David B. Mongue
BBO No. 351780
For Donovan & O'Connor, LLP
1330 Mass MoCA Way
North Adams, MA 01247
Tel.: (413) 663-3200
Fax: (413) 663-7970

DBM:MGR